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EXAMINER

GILLIS, BRIAN J

ART UNIT	PAPER NUMBER
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2141

DATE MAILED: 09/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/035,619

Applicant(s)

SIMPSON ET AL.

Examiner

Brian J. Gillis

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 December 2001 and 01 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) 2,8,25,27 and 28 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3-7, 9-24, 26, and 29-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 9-14, and 16-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Levine et al (US Patent #6,020,973) in view of Yeung et al (US PG PUB US2003/0093525) in view of Sugishima (US Patent #5,768,516).

Claim 1 discloses a method for intelligently routing hard-copy generation tasks, comprising: accessing imaging service data from a network connected computing device accessing imaging data from at least one store, via the network and using an imaging extension, to generate at least one criterion; and recommending at least one hard-copy generation service capable of performing a particular hard-copy generation task matching the at least one criterion. Levine et al teaches of a print server which retrieves data from a client and then prints on a network printer (figure 5), a document management subsystem which access data and can manage the processing of the document (column 8, lines 57-59), and a user interface is provided to provide user information (column 9, lines 48-50, figure 4). It fails to teach of using an imaging extension to generate at least one criterion and recommending at least on hard-copy generation service. Yeung et al teaches of a print screen, which allows the user to see the data in the file before being processed (figure 20). Sugishima teaches of a printer

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selection, which determines which printer to send the document to based on criteria (column 8, lines 11-45, figure 5).

Levine et al, Yeung et al, and Sugishima are analogous art because they are related to document management.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the printer selection in Sugishima and the print screen in Yeung et al with the print server in Levine et al because the operational environment concerned with the outputting information is improved (Sugishima, column 1, lines 30-35).

Claim 9 discloses the method of claim 1, wherein recommending depends on both the imaging service and the imaging data. Yeung et al further teaches of a document distribution model, which can sort, the files based on file format, which is part of the file data (figure 2).

Claim 10 discloses the method of claim 1, wherein recommending comprises presenting a plurality of user selectable destinations. Yeung et al further teaches of a print screen, which provides the user a list of selectable destinations (figure 20).

Claim 11 discloses the method of claim 1, wherein the imaging extension comprises part of a user browser. Yeung et al further teaches of the use of the Windows Explorer tool, which is integrated into the user's operating system and inherently the user's desktop (paragraph 2, lines 6-9).

Claim 12 discloses the method of claim 1, wherein the imaging extension comprises logic received from the imaging service data. Yeung et al further teaches of

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a window, which displays information about files in selected folders, which is pulled from the file itself (figure 18).

Claim 13 discloses the method of claim 10, wherein recommending further comprises presenting information describing the network location of each of the plurality of user selectable destinations. Yeung et al teaches of a print screen, which shows a list of selectable printers and information about each printer (figure 20).

Claim 14 discloses a method for intelligently routing a task, comprising: accessing imaging data associated with a task using an imaging extension; acquiring data regarding a plurality of services accessible to a network coupled user-computing device; identifying a plurality of parameters that define the task; identifying capabilities of at least one resource associated with each of the plurality of services; associating at least one decision point with each of the plurality of parameters; selectively adjusting the at least one decision point to formulate a recommended resource to perform the task; and recommending the resource capable of performing the task based on use of the at least one decision point. Levine et al teaches of a device data cache that holds information of the connected devices (column 10, lines 38-49), and through the use of suitable software, output can be provided in response to a group of user provided parameters (column 10, lines 4-7), the device data cache can hold various information pertaining to the devices connected (column 10, lines 41-49), a data acquisition daemon that populates a database with the information (column 10, lines 58-62), the daemon can update data pertaining to a device (column 10, lines 62-63)). It fails to teach of accessing imaging data associated with a task using an imaging extension and

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recommending the resource capable of performing a task based on a decision point.

Yeung et al teaches of a print screen, which allows the user to see the data in the file before being processed (figure 20). Sugishima teaches of a printer selection, which determines which printer to send the document to based on criteria (column 8, lines 11-45, figure 5).

Levine et al, Yeung et al, and Sugishima are analogous art because they are related to document management.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the printer selection in Sugishima and the print screen in Yeung et al with the print server in Levine et al because the operational environment concerned with the outputting information is improved (Sugishima, column 1, lines 30-35).

Claim 16 discloses the method of claim 14, wherein the parameters comprise resource control inputs. Levine et al further teaches of resource control inputs (column 10, lines 43-44).

Claim 17 discloses a system for recommending a network coupled resource, comprising: means for developing a knowledge base concerning the capabilities of available network coupled resources; means for associating at least one content descriptor with a designated task; means for developing logic responsive to the knowledge base; means for communicating the logic and the at least one descriptor to an application; means for extracting the at least one content descriptor from a document in a data store; means for identifying a recommended network coupled resource suited to perform a designated data transformation; and means for recommending the network

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coupled resource identified. Levine et al teaches of data acquisition daemons collect information for a cache (column 10, lines 58-62), and that the interface includes all of the hardware and software necessary to relate components of the controller with components of the network which provides the association of a content descriptor with a task (column 7, lines 29-35).), logic in response to the knowledgebase (column 7, lines 29-35), communication of the logic and descriptor to the application (column 7, lines 29-35), allows extraction of the descriptor from a document (column 7, lines 29-35), and allows a resource to perform a data transformation (column 7, lines 29-35). It fails to teach of recommending a network resource. Yeung et al teaches of a print screen, which allows the user to see the data in the file before being processed (figure 20). Sugishima teaches of a printer selection, which determines which printer to send the document to based on criteria (column 8, lines 11-45, figure 5).

Levine et al, Yeung et al, and Sugishima are analogous art because they are related to document management.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the printer selection in Sugishima and the print screen in Yeung et al with the print server in Levine et al because the operational environment concerned with the outputting information is improved (Sugishima, column 1, lines 30-35).

Claim 18 discloses the system of claim 17, wherein the knowledge base development means comprises information reflective of hard-copy generation services. Levine et al further teaches of a device data cache, which provides information about the connected devices (column 10, lines 42-49).

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Claim 19 discloses the system of claim 17, wherein the associating means comprises hard-copy generation device control inputs. Levine et al further teaches the data device cache contains information the controls the input to the device (column 10, lines 43-44).

Claim 20 discloses the system of claim 17, wherein the communicating means comprises a network. Levine et al shows an interface that connects the device to a network (column 7, lines 30-31).

Claims 24, 26, 29, 30, 34, and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Duke et al (US Patent #6,573,910) in view of Yeung et al (US PG PUB US2003/0093525) in view of Sugishima (US Patent #5,768,516).

Claim 24 discloses a method for assisting a user in selecting a hardcopy generation service, comprising: accessing imaging data stored in a personal image repository using an imaging extension; formulating at least one criterion reflective of the imaging data; accessing information reflective of a plurality of hardcopy generation services; using the at least one criterion to identify hardcopy generation services; and recommending the identified hardcopy generation services to the user. Duke et al teaches of a customer submitting a document to a system which prints the document (column 4, lines 1-24), the document has several attributes given by the system (column 4, lines 1-24), a remote processing equipment database is accessed which stores information about the devices connected (column 6, lines 61-67), the database is provided information that can assist in determining where to send the document (column 7, lines 10-12), and a customer is presented with information and may change

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the location where the document is being printed (column 11, lines 5-11). It fails to teach of accessing imaging data stored in an image repository using an imaging extension and recommending the identified hardcopy generation services to the user. Yeung et al teaches of a print screen, which allows the user to see the data in the file before being processed (figure 20). Sugishima teaches of a printer selection, which determines which printer to send the document to based on criteria (column 8, lines 11-45, figure 5).

Duke et al, Yeung et al, and Sugishima are analogous art because they are related to document management.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the printer selection in Sugishima and the print screen in Yeung et al with the method in Duke et al because the operational environment concerned with the outputting information is improved (Sugishima, column 1, lines 30-35).

Claim 26 discloses the method of claim 24, further comprising: initiating a hard-copy generation request. Duke et al further teaches of a customer submits a document job to the server for processing (column 4, lines 3-6).

Claim 29 discloses the method of claim 24, wherein the hard-copy generation services are coupled via the wide area network commonly known as the Internet. Duke et al further teaches the devices are connected of the Internet (column 4, lines 1-3).

Claim 30 discloses the method of claim 24, wherein the hard-copy generation services are coupled via a local area network. Duke et al further teaches the devices are connected to a distributed communication system (column 4, lines 1-3).

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Claim 34 discloses the method of claim 24, further comprising: receiving a user preference. Duke et al further teaches of a user is given information pertaining to scheduling and routing which the user can provide preference information about (column 11, lines 5-11).

Claim 35 discloses the method of claim 34, further comprising: identifying at least one recommended service responsive to the user preference Duke et al further teaches of the customer is provided with information pertaining to scheduling and routing of available devices able to process the document (column 11, lines 5-11).

Claims 3, 4, 15, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Levine et al (US Patent #6,020,973) in view of Yeung et al (US PG PUB US2003/0093525) in view of Sugishima (US Patent #5,768,516) as applied to claims 1, 14, and 17 above, and further in view of Aiello et al (US Patent #6,337,745).

Claim 3 discloses the method of claim 1, further comprising: initiating a hard-copy generation request. Levine et al as modified by Yeung et al and Sugishima teaches of the limitations of claim 1 as recited above. It fails to teach of initiating a hard-copy generation request. Aiello et al teaches of a graphical user interface which an operator selects a job and directs the job to the printer (column 5, lines 46-47).

Levine et al, Yeung et al, Sugishima, and Aiello et al are analogous art because they are related to document management.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the graphical user interface in Aiello et al with the method in Levine

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et al as modified by Yeung et al and Sugishima because the interface provides a flexible easy to use operator interface (Aiello et al, column 3, lines 19-20).

Claim 4 discloses the method of claim 1, wherein accessing imaging service data comprises retrieving logic. Levine et al as modified by Yeung et al and Sugishima teaches of the limitations of claim 1 as recited above. It fails to teach of retrieving logic when accessing imaging service data. Aiello et al teaches of a queue manager, which accesses the job's header, information, which is data, connected to the file itself (column 5, lines 32-37).

Levine et al, Yeung et al, Sugishima, and Aiello et al are analogous art because they are related to document management.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the queue manager in Aiello et al with the method in Levine et al as modified by Yeung et al and Sugishima because this allows the system to determine which resources are required and determine if the required resources are available (Aiello et al, column 5, lines 34-37).

Claim 15 discloses the method of claim 14, wherein acquiring data comprises services suited for performing at least one hard-copy generation task. Levine et al as modified by Yeung et al and Sugishima teaches of the limitations of claim 14 as recited above. It fails to teach of acquiring services suited for performing a hard-copy generation task. Aiello et al teaches of a graphical user interface, which sends the job to the printer, which meets the needs of the job (column 5, lines 46-55).

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Levine et al, Yeung et al, Sugishima, and Aiello et al are analogous art because they are related to document management.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the interface and queue manager in Aiello et al with the method in Levine et al as modified by Yeung et al and Sugishima because it permits efficient user of printer time and capabilities (Aiello et al, column 6, lines 51-56).

Claim 22 discloses the system of claim 17, wherein the identifying means comprises logic communicated to a browser. Levine et al as modified by Yeung et al and Sugishima teaches of the limitations of claim 17 as recited above. It fails to teach of the identifying means comprising logic communicated to a browser. Aiello et al teaches of a queue manager which accesses the file's header information which consists of logic and then communicates it to a graphical user interface which is part of the user's browser (column 5, lines 32-37).

Levine et al, Yeung et al, Sugishima, and Aiello et al are analogous art because they are related to document management.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the queue manager in Aiello et al with the method in Levine et al as modified by Yeung et al and Sugishima because allows the system to determine which resources are required and determine if the required resources are available (Aiello et al, column 5, lines 34-37).

Claims 5, 7, 21, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Levine et al (US Patent #6,020,973) in view of Yeung et al (US

PGPUB US2003/0093525) in view of Sugishima (US Patent #5,768,516) as applied to claims 1 and 17 above, and further in view of Duke et al (US Patent #6,573,910).

Claim 5 discloses the method of claim 1, wherein accessing imaging service data comprises retrieving content descriptors. Levine et al as modified by Yeung et al and Sugishima teaches of the limitations of claim 1 as recited above. It fails to teach of retrieving content descriptors when accessing imaging service data. Duke et al teaches of using job attributes, which can be a variety of descriptors of the contents of the file (column 4, lines 12-24).

Levine et al, Yeung et al, Sugishima, and Duke et al are analogous art because they are related to document management.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the job attribute retrieval in Duke et al with the method in Levine et al as modified by Yeung et al and Sugishima because this allows the system how to distribute or deliver the job once printed (Duke et al, column 4, lines 22-23)

Claim 7 discloses the method of claim 1, wherein accessing imaging data comprises retrieving a scaled-down version of a document. Levine et al as modified by Yeung et al and Sugishima teaches of the limitations of claim 1 as recited above (column 8, lines 57-59, column 9, line 48-50, figure 5). It fails to teach of retrieving a scaled-down version of a document. Duke et al teaches of providing visual images of the job for the customer to review (column 11, lines 37-39).

Levine et al, Yeung et al, Sugishima, and Duke et al are analogous art because they are related to document management.

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At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the visual images from Duke et al with the method in Levine et al as modified by Yeung et al and Sugishima because this aids the customer in job verifications and proofing (Duke et al, column 11, lines 35-36).

Claim 21 discloses the system of claim 17, wherein the extracting means comprises an imaging extension. Levine et al as modified by Yeung et al and Sugishima teaches of the limitations of claim 17 as recited above. It fails to teach of an imaging extension. Duke et al teaches of a customer interface used for processing the jobs (column 4, lines 24-35).

Levine et al, Yeung et al, Sugishima, and Duke et al are analogous art because they are related to document management.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the customer interface in Duke et al with the method in Levine et al as modified by Yeung et al and Sugishima because this allows the customer to submit a job through an effective communication process (Duke et al, column 4, lines 33-35).

Claim 23 discloses system of claim 21, wherein the imaging extension comprises part of a browser. Duke et al further teaches of a customer interface, which is connected, to a generic web browser (column 4, lines 30-35).

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Levine et al (US Patent #6,020,973) in view of Yeung et al (US PGPUB US2003/0093525) in view of Sugishima (US Patent #5,768,516) as applied to claim 1 above, and further in view of King (US Patent #6,529,286).

Claim 6 discloses the method of claim 1, wherein accessing imaging data comprises retrieving imaging data from the at least one store. Levine et al as modified by Yeung et al and Sugishima teaches of the limitations of claim 1 as recited above. It fails to teach of retrieving imaging data from at least one store. King teaches of a fixed disk, which is accessed when data is to be retrieved (column 4, lines 1-4).

Levine et al, Yeung et al, Sugishima, and King are analogous art because they are related to document management.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the fixed disk in King with the method in Levine et al as modified by Yeung et al and Sugishima because a computer is able to generate, manipulate, and store files to be processed (King, column 4, lines 2-3).

Claims 31-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Duke et al (US Patent #6,573,910) in view of Yeung et al (US PG PUB US2003/0093525) in view of Sugishima (US Patent #5,768,516) as applied to claim 24 above, and further in view of Mastie et al (US Patent #6,498,656).

Claim 31 discloses the method of claim 24, wherein the at least one criterion identifies a parameter range. Duke et al as modified by Yeung et al and Sugishima teaches of the limitations of claim 24 as recited above. It fails to teach of criterion identifying a parameter range. Mastie et al teaches of a criterion, which can consist of various parameters (column 6, lines 22-23).

Duke et al, Yeung et al, Sugishima, and Mastie et al are analogous art because they are both related to document management.

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At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the criteria in Mastie et al with the method in Duke et al as modified by Yeung et al and Sugishima because the application of this criteria can return a set of available printers that can process the print job (Mastie et al, column 6, lines 27-28).

Claims 32 and 33 disclose the method of claim 31, wherein the parameter comprises a measure of the size of a document and a measure of color information. Mastie et al further teaches of a criterion, which can consist of various parameters including document size and color (column 6, lines 22-23).

Response to Amendment

The declaration filed on July 1, 2005 under 37 CFR 1.131 has been considered but is ineffective to overcome the Yeung et al (US PG PUB US2003/0093525) reference.

I. FORMALITIES

"The following parties may make an affidavit or declaration under 37 CFR 1.131:

- (A) All the inventors of the subject matter claimed.
- (B) An affidavit or declaration by less than all named inventors of an application is accepted where it is shown that less than all named inventors of an application invented the subject matter of the claim or claims under rejection. For example, one of two joint inventors is accepted where it is shown that one of the joint inventors is the sole inventor of the claim or claims under rejection.
- (C) **> If a petition under 37 CFR 1.47 was granted or the application was accepted under 37 CFR 1.42 or 1.43, the affidavit or declaration may be signed by the 37 CFR 1.47 applicant or the legal representative, where appropriate.< .
- (D) The assignee or other party in interest when it is not possible to produce the affidavit or declaration of the inventor. Ex parte Foster, 1903 C.D. 213, 105 O.G. 261 (Comm'r Pat. 1903)." (See MPEP 715.04)

The declaration is missing the signature of inventor Kris Livingston. None of the exceptions have been met under MPEP 715.04. Therefore, the declaration is ineffective on its face.

In the interest of compact prosecution, the Examiner will comment on the substantive deficiencies in the declaration.

II. SUBSTANTIVE ISSUES

Applicant is attempting to prove prior invention through a showing of conception prior to October 9, 2000

A. General Considerations

"A general allegation that the invention was completed prior to the date of the reference is not sufficient. *Ex parte Saunders*, 1883 C.D. 23, 23 O.G. 1224 (Comm'r Pat. 1883). Similarly, a declaration by the inventor to the effect that his or her invention was conceived or reduced to practice prior to the reference date, without a statement of facts demonstrating the correctness of this conclusion, is insufficient to satisfy 37 CFR 1.131.

The affidavit or declaration and exhibits must clearly explain which facts or data applicant is relying on to show completion of his or her invention prior to the particular date. Vague and general statements in broad terms about what the exhibits describe along with a general assertion that the exhibits describe a reduction to practice "amounts essentially to mere pleading, unsupported by proof or a showing of facts" and, thus, does not satisfy the requirements of 37 CFR 1.131(b). *In re Borkowski*, 505 F.2d 713, 184 USPQ 29 (CCPA 1974). Applicant must give a clear explanation of the exhibits

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pointing out exactly what facts are established and relied on by applicant. 505 F.2d at 718-19, 184 USPQ at 33. See also *In re Harry*, 333 F.2d 920, 142 USPQ 164 (CCPA 1964) (Affidavit "asserts that facts exist but does not tell what they are or when they occurred."). (See MPEP 715.07)

B. Conception

The sole statement with respect to conception is found in paragraph 2 of the declaration which states that applicant conceived prior to October 9, 2000 as evidenced by the attached invention disclosure form.

This is a general statement, which does not even describe in broad terms what facts the exhibit is relied upon to establish. There is no "clear explanation of the exhibits" which points out what facts are established thereby.

Thus, applicant has not met the burden of establishing conception of the invention prior to the effective date of the reference.

The review of the attached invention disclosure form would not support conception because the exhibit only points out the general topic of the invention and not the invention itself.

C. Diligence

The critical period in which diligence must be shown begins just prior to, November 10, 2001, the effective date of *Yeung et al* and ends on December 28, 2001, the filing date of this application.

"An applicant must account for the entire period during which diligence is required. The period during which diligence is required must be accounted for by either

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affirmative acts or acceptable excuses. Diligence requires that applicants must be specific as to dates and facts." (See MPEP 2138.06).

The declaration is not explicit as to any dates and thus is not effective to establish diligence.

Note that the comments are merely illustrative and not necessarily complete. The burden is on applicant to provide adequate showing of prior invention in order to antedate the reference.

Response to Arguments

Applicant's arguments with respect to claims 1, 14, 17, and 24 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Ooki (US Patent #5,991,846) teaches of output device selection based on device characteristics and priorities. Fischer (US Patent #6,762,852) teaches of a print feature selection based on combined features of several printers. Wiechers (US PGPUB US2002/0075509) teaches of printing a document for a network user. Grasso et al (US PGPUB US2002/0116291) teaches of a recommender system and method. Goodman et al (US Patent #6,757,071) teaches of recommending and/or automatically modify a document for printing.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

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§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian J. Gillis whose telephone number is 571-272-7952. The examiner can normally be reached on M-F 7:30-5:00.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571-272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Brian J Gillis
Examiner
Art Unit 2141

BJG


RUPAL DHARIA
SUPERVISORY PATENT EXAMINER